

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Edwin Pierce Pryor

Docket No. 5:17-CR-150-1D

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Edwin Pierce Pryor, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1), was sentenced by the Honorable Charles R. Butler, Jr., U.S. District Judge (SD/AL), on April 29, 1997, to the custody of the Bureau of Prisons for a term of 293 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On September 27, 2016, pursuant to 28 U.S.C. § 2255, the defendant's term of imprisonment was reduced to 120 months followed by a 3 year term of supervised release.

Edwin Pierce Pryor was released from custody on September 29, 2016, at which time the term of supervised release commenced.

On May 9, 2017, jurisdiction of this case was transferred to the Eastern District of North Carolina.

On May 12, 2017, the court was notified that the defendant tested positive for marijuana on April 4, 2017. The probation office recommended that he be afforded an opportunity to participate in substance abuse treatment and be continued in the Surprise Urinalysis Program. The court concurred.

On June 12, 2017, the court was notified that the defendant provided a urine sample that returned positive for marijuana on May 27, 2017. As a result, it was recommended that he be allowed to continue in substance abuse treatment, the Surprise Urinalysis Program and participate in a cognitive behavioral program. The court concurred.

On August 3, 2017, the court was notified that on June 26, 2017, in Johnston County, NC, the defendant was charged with Failure to Yield Left Turn and Driving While Impaired. The probation office recommended that these new charges be allowed to resolve themselves in state court and if the defendant was convicted of Driving While Impaired, the probation office would provide a new recommendation to the court addressing this non-compliance. Additionally, it was also recommended that the defendant continue to participate in substance abuse treatment, the Surprise Urinalysis Program and in cognitive behavioral therapy. The court concurred. The defendant completed his cognitive behavioral therapy and his state charges are still pending.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

The defendant provided a urinalysis on December 4, 2017, that returned positive for cocaine on December 10, 2017. Mr. Pryor was confronted about this new drug use and initially denied using. He then admitted to using cocaine to cope with the death of his best friend. The probation officer helped him understand how this poor decision to use cocaine only made his situation worse. As a result of this non-compliance, the probation office is recommending that he be allowed to participate in intensive outpatient substance abuse treatment, continue in the Surprise Urinalysis Program, and complete 48 hours of community service. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 48 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Maurice J. Foy
Maurice J. Foy
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8678
Executed On: December 14, 2017

ORDER OF THE COURT

Considered and ordered this 19 day of December, 2017, and ordered filed and made a part of the records in the above case.

J. Dever
James C. Dever III
Chief U.S. District Court Judge